

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address D. EDWARD HAYS, #162507 ehays@marshackhays.com TINHO MANG, #322146 tmang@marshackhays.com MARSHACK HAYS WOOD LLP 870 Roosevelt Irvine, California 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for Chapter 7 Trustee, ARTURO M. CISNEROS</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;"><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – <u>RIVERSIDE</u> DIVISION</b></p>	
<p>In re:</p> <p>SHAMICKA LAWRENCE,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 6:23-bk-15163-WJ CHAPTER: 7</p>
<p><b>NOTICE OF LODGMENT OF ORDER OR JUDGMENT IN ADVERSARY PROCEEDING RE: <i>(title of motion<sup>1</sup>): Chapter 7 Trustee's Motion to Compel Turnover of Real Property</i></b></p>	

PLEASE TAKE NOTE that the order or judgment titled ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION TO COMPEL  
TURNOVER OF REAL PROPERTY was lodged on (date) May 1, 2024 and is attached. This order relates to the motion  
which is docket number 61.

<sup>1</sup> Please abbreviate if title cannot fit into text field.

# Lodged Order

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8 UNITED STATES BANKRUPTCY COURT  
9 CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE DIVISION  
10

11 In re  
12 SHAMICKA LAWRENCE,  
13 Debtor.  
14

Case No. 6:23-bk-15163-WJ

Chapter 7

ORDER GRANTING CHAPTER 7  
TRUSTEE’S MOTION TO COMPEL  
TURNOVER OF REAL PROPERTY

[MOTION DOCKET NO. 61]

Date: April 30, 2024  
Time: 1:00 p.m.  
Ctrm: 304  
Address: 3420 Twelfth Street  
Riverside, CA 92501

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16  
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18  
19 On April 30, 2024, at 1:00 p.m., the Court conducted a hearing on the motion filed by Arturo  
20 M. Cisneros, Chapter 7 Trustee (“Trustee”) for the bankruptcy estate (“Estate”) of Shamicka  
21 Lawrence (“Debtor”), filed on April 9, 2024, as Docket No. 61 (“Motion”), seeking an order  
22 compelling turnover of the real property commonly known as 11364 Estates Court, Riverside, CA  
23 (“Property”). Marc Lieberman appeared on behalf of the Debtor. Tinho Mang appeared on behalf of  
24 the Trustee, who was also present in the courtroom.

25 The Court has read and considered the Motion, the opposition and declarations filed by  
26 Debtor as Docket No. 70, Trustee’s reply filed as Docket No. 72, considered the items on the docket  
27 properly subject to judicial notice, and heard the statements and arguments on the record. The Court  
28 enters its order as follows:

1 IT IS ORDERED:

2 1. The Motion is granted, as modified on the record.

3 2. Debtor and all occupants shall vacate the real property commonly known as 11364  
4 Estates Court, Riverside, CA (previously defined as “Property”) no later than May 31, 2024  
5 (“Turnover Deadline”). The Property shall be left in broom-swept condition, in that the Property shall  
6 be left clear of any personal property, rubbish, and debris *except* as provided herein. Debtor shall not  
7 remove any fixtures from the Property.

8 3. Trustee has the right to possession of any and all items of personal property  
9 constituting property of the Estate, irrespective of any claim of exemption on such assets. By May 7,  
10 2024, Trustee may provide to Debtor a written list of items which shall be turned over to Trustee, in  
11 one of the following methods:

- 12 a. Debtor may leave such items at the Property when she vacates the Property.  
13 b. Debtor may surrender possession of such items to Trustee.  
14 c. If Trustee agrees in writing to some other method of turnover, Debtor may  
15 effectuate such agreed-upon method of turnover.

16 4. If Debtor fails to vacate the Property by the Turnover Deadline, the United States  
17 Marshals Service (“Marshals”) is authorized to effectuate an eviction of all occupants and deliver  
18 possession of the Property to Trustee or his agents.

19 5. Trustee is entitled to seek enforcement of this order by issuance of a writ of assistance  
20 to the Marshals. This order is enforceable pursuant to Local Bankruptcy Rule 7064-1(e):

21 Upon execution and entry of this Order, the United States Marshals Service [and any other  
22 executing officer authorized by the court] (collectively, the “U.S. Marshal”) is immediately  
23 directed to assist Trustee to enforce the underlying order awarding possession. Trustee and his  
24 authorized agent(s) will act as substitute custodian of any and all items of personal property  
25 seized pursuant to this Order and the U.S. Marshal shall have no liability arising from any  
26 acts, incidents, or occurrences in connection with the seizure of the personal property located  
27 at the subject real property arising in the ordinary authorized scope of duties of the U.S.  
28 Marshal (which acts do not include acts arising from negligent or intentional tortious  
conduct), including any third party claims and the U.S. Marshal shall be discharged of his or  
her duties and responsibilities for safekeeping of the seized goods. The U.S. Marshal  
accomplishing such eviction or seizure shall use whatever reasonable force necessary to break  
open and enter the subject real property regardless of whether the premises or location is  
locked or unlocked, occupied or unoccupied and to inspect the contents of any room, closet,

cabinet, vehicle, container, desk or documents. Anyone interfering with the execution of this Order is subject to arrest by law enforcement officials.

####

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 1, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:** On **May 1, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 1, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA OVERNIGHT MAIL**

HONORABLE WAYNE JOHNSON  
UNITED STATES BANKRUPTCY COURT  
3420 Twelfth Street, Suite 384 /  
Courtroom 304  
Riverside, CA 92501-3819

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 1, 2024  
Date

Cynthia Bastida  
Printed Name

/s/ Cynthia Bastida  
Signature

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

- **TRUSTEE: Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com;ecf.alert+Cisneros@titlexi.com
- **INTERESTED PARTY COURTESY NEF: Alan W Forsley** alan.forsley@flpllp.com, awf@fkllawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
- **INTERESTED PARTY COURTESY NEF: Thomas M Geher** tmg@jmbm.com, bt@jmbm.com;tmg@ecf.courtdrive.com
- **ATTORNEY FOR INTERESTED PARTY MESSAGE ENFY FRANCHISING: Eric D Goldberg** eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **ATTORNEY FOR TRUSTEE: D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com;alinares@ecf.courtdrive.com;cmendoza@marshackhays.com;cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR DEBTOR: Marc A Lieberman** marc.lieberman@flpllp.com, safa.saleem@flpllp.com,addy@flpllp.com
- **ATTORNEY FOR TRUSTEE: Tinho Mang** tmang@marshackhays.com, [tmang@ecf.courtdrive.com](mailto:tmang@ecf.courtdrive.com); [alinares@ecf.courtdrive.com](mailto:alinares@ecf.courtdrive.com); [cmendoza@ecf.courtdrive.com](mailto:cmendoza@ecf.courtdrive.com)
- **INTERESTED PARTY:** Daren M Schlecter daren@schlecterlaw.com, assistant@schlecterlaw.com
- **U.S. TRUSTEE: United States Trustee (RS)** ustpregion16.rs.ecf@usdoj.gov

**2. SERVED BY UNITED STATES MAIL CONTINUED:**

**DEBTOR**

SHAMICKA LAWRENCE AND ALL  
OCCUPANTS AND/OR TENANTS  
OCCUPYING THE REAL  
PROPERTY AT:  
11364 ESTATES COURT  
RIVERSIDE, CA 92503-0639

**INTERESTED PARTY**

HAHN FIFE & COMPANY  
1055 E. COLORADO BLVD #5  
PASADENA, CA 91106

**INTERESTED PARTY**

WINTERSTONE REAL ESTATE  
DEVELOPMENT  
23792 ROCKFIELD BLVD., STE 101  
LAKE FOREST, CA 92630